

**MARRIAGE AND FAMILY THERAPY SECTION  
MEETING MINUTES  
JULY 28, 2009**

**PRESENT:** Arlie Albrecht, Bruce Kuehl, Ann Marie Starr

**STAFF:** Jeff Scanlan, Bureau Director; Colleen Baird, Legal Counsel; Rebecca McAtee, Minute Taker and other DRL Staff

**CALL TO ORDER**

Bruce Kuehl called the meeting to order at 9:02 a.m. A quorum of three (3) members was present.

**APPROVAL OF AGENDA**

**Amendments to the Agenda:**

- After Summary Reports on Pending Court Cases (open session):
  - Status of Rules and Statutes
    - Changes to Chapter 457 Stat per 2009 WI Act 28 (Budget)
    - Overview of Changes Concerning Vendorship/Mental Health Access Changes Enacted in 2009 WI Act 28 (Budget)
- Correspondence Received by Legal Counsel – Letter from Carol Palmer, LMFT regarding CE

**MOTION:** Ann Marie Starr moved, seconded by Arlie Albrecht to approve the July 28, 2009 agenda as amended. Motion carried unanimously.

**APPROVAL OF MINUTES OF APRIL 15, 2009**

**MOTION:** Ann Marie Starr moved, seconded by Arlie Albrecht, to approve the minutes of April 15, 2009 as published. Motion carried unanimously.

**ADMINISTRATIVE REPORT**

Jeff Scanlan noted changes to the Division in staffing, introducing Michelle Solem as a new bureau assistant, Colleen Baird as the Board's legal counsel, and Rebecca McAtee and Ben Hanes as the Division's summer interns. Jeff Scanlan discussed cost saving initiatives of the Department due to the impact of the budget reductions, including later meeting start times, teleconference meetings, e-credentialing and paperless agendas. Additionally, the Department is currently in the process of updating their website to make information more accessible for consumers and licensees. Director Scanlan requested that Board members as well as guests turn off cell phones due to interference with recording equipment. Also noted was that public member position of the Section is currently vacant.

## **PRESENTATION OF PROPOSED STIPULATIONS**

None.

## **PRESENTATION OF PROPOSED STIPULATIONS THAT MAY BE SIGNED AFTER MAILING OF AGENDA**

None.

## **SUMMARY REPORTS ON PENDING COURT CASES, DISCIPLINARY CASES AND ADMINISTRATIVE RULES AND PRESS RELEASES**

Jeff Scanlan noted that the Board will be updated during meetings rather than including this information as a part of the printed agenda. Going forward, there will be a summarized report that will either be included as a red folder item, or relayed by the Bureau Director during the meeting.

Jeff Scanlan reviewed the current open rule changes for the Section and Joint Board, including the psychometric testing rule (MPSW 1.11), and an amendment to the AODA treatment provisions (MPSW 1.09).

## **STATUS OF RULES AND STATUTES**

### **Changes to Chapter 457 Stat per 2009 WI Act 28 (Budget)**

Jeff Scanlan reviewed the changes to the MPSW statutes as a result language included in the State budget. Due to amendments to Chapter 457 Stat which established the requirement for a grievance procedure (newly created s. 457.04 (8) Stats), the Section discussed needed revisions to Joint Board's administrative rules. The Section recommended an amendment to s. MPSW 20.02 (12), Wis. Admin. code to include a provision that would make a failure to have a proper "grievance procedure" as defined in 457.04 (8) to be defined as unprofessional conduct.

**MOTION:** Arlie Albrecht moved, seconded by Ann Marie Starr, to approve the drafting of a scope statement to create or amend the rules as related to s. 457.04 (8) relating to the establishment of a grievance procedure per passage of 2009 Wisconsin Act 28. Motion carried unanimously.

### **Overview of Changes Concerning Vendorship/Mental Health Access Changes Enacted in 2009 WI Act 28 (Budget)**

Jeff Scanlan noted that there has been an increase in billing questions due to changes in HFS 35 and the inclusion of vendorship in the budget. Several of the questions have been in relation to reimbursement and what levels of licensure may receive reimbursement.

**DISCUSSION ON AMENDMENT OR REPEAL OF S. 457.02 PERTAINING TO REQUIREMENTS FOR SUBSTANCE ABUSE AND SUBSTANCE USE DISORDER TREATMENT BY A LICENSEE OF THE BOARD (MARRIAGE AND FAMILY THERAPIST, PROFESSIONAL COUNSELOR, & CLINICAL SOCIAL WORKER)**

The Section discussed previous events occurring to this point, including the submission of a request for LRB draft language for the repeal of Stat 457.02 (5m) and the Joint Board's motion to take the steps necessary to get this action passed. The Section discussed that under the scope of practice for licensees (who are trained in psychotherapy), substance abuse is considered a DSM IV diagnosis so should be treated as all other DSM IV diagnoses. Treatment of DSM disorders is part of the definition of psychotherapy. The Section discussed the best methods for moving forward on this item including getting a sponsor in legislature, reaching out to professional organizations and writing an open letter to the profession.

The Section discussed the possibility of a rules change creating an alternate set of required coursework for master's level candidates of the substance abuse counseling specialization.

**DISCUSSION ON INPUT TO GOAL SETTING COMMITTEE FOR THE MARRIAGE & FAMILY THERAPY, PROFESSIONAL COUNSELING AND SOCIAL WORK EXAMINING BOARD (MPSW JOINT BOARD), REVIEW OF COMMITTEE GOALS PROPOSED FOR THE MPSW JOINT BOARD**

The Section reviewed the goals as identified by the Goal Setting Committee of the Joint Board and made the following recommendations:

- 2. Achieving ~~Medicare~~ **MA** and 3<sup>rd</sup> party payer reimbursement for in-training license holders at the master's level.
- Points 4 and 5 could possibly be combined.
- Add recognition of mental health practitioners (unlicensed/DHS psychotherapy designation) who have worked in certified clinics, acknowledging their time in practice as it counts towards requirements of supervised practice.
- Add recognition of experience for people applying through reciprocity.
- Revisit the provisions for continuing education as required across the sections and see if there can be a greater level of uniformity in these requirements.

**DISCUSSION ON WHETHER MARRIAGE & FAMILY THERAPIST SECTION MAY ACCEPT LICENSE APPLICANT'S SUPERVISED PRACTICE HOURS GAINED OUT OF STATE WITHOUT A WISCONSIN MARRIAGE & FAMILY THERAPIST TRAINING LICENSE**

The current rule under MPSW 16.03 relates to this type of licensure – “Only those individuals who hold a valid marriage and family therapist training certificate may begin accumulating hours towards their postgraduate supervised practice requirements.” Since there is no longer a certificate, this can be changed through the Office of Revisers and adding an amendment that the Section will consider those hours gained out of state.

**MOTION:** Ann Marie Starr moved, seconded by Arlie Albrecht, to consider hours gained outside of the state pursuant of MPSW 16.01 (1)(b). Motion carried unanimously.

### **UPDATE ON WAFCA AD-HOC COMMITTEE**

Ann Marie Starr noted that there are no updates to report since the last meeting of the Section.

### **AMFTRB REPORT – ANN MARIE STARR**

Ann Marie Starr is planning to attend the AMFTRB meeting this September.

### **COALITION REPORT – BRUCE KUEHL**

Bruce Kuehl, as part of the coalition report, noted that there might be a possible decline in reimbursement for MA pending changes occurring in 2011. Bruce reported that the Coalition worked with several government employees and professional organization staff members to create a group of forms to help clinicians satisfy requirements of HS 35 in an attempt to be helpful in guiding practitioners. Once these are available, they are requesting that the DRL posts a link to them on the DRL website.

### **WAMFT REPORT – ARLIE ALBRECHT**

Arlie Albrecht noted that WAMFT has addressed the importance of a public member of the section and the role of this member. Jeff Scanlan will provide public member position descriptions to the Section.

### **CORRESPONDENCE AND INQUIRIES RECEIVED BY LEGAL COUNSEL**

The Section addressed a letter received regarding the acceptance of CE received while in the Peace Corps. Colleen Baird addressed the Section, noting that MPSW 19.01 (7) gives the Section the ability to review each application individually according to its merits to allow for a postponement or waiver of CE based on the circumstances defined therein. A waiver for this licensee is allowable under the existing provisions.

**MOTION:** Arlie Albrecht moved, seconded by Bruce Kuehl, to grant a waiver of CE credits for the reinstatement of licensure in the matter of Carol Palmert. Motion carried. Ann Marie Starr abstained.

### **INFORMATIONAL ITEMS**

None.

## **PUBLIC COMMENTS**

None.

## **CLOSED SESSION**

**MOTION:** Arlie Albrecht moved, seconded by Ann Marie Starr, to convene to closed session pursuant to Wisconsin State statutes 29.85(1)(a)(b)(f) and (g), to review applications, deliberate on proposed stipulations, deliberate on administrative warning; deliberate on hearings or appearances for denial of applications; review monitoring cases; review DOE cases, and consult with legal counsel. Roll Call Vote: Arlie Albrecht-yes; Bruce Kuehl-yes; Ann Marie Starr-yes. Motion carried unanimously.

The Board convened into Closed Session at 12:45 p.m.

## **RECONVENE TO OPEN SESSION**

**MOTION:** Ann Marie Starr moved, seconded by Arlie Albrecht, to reconvene into open session. Motion carried unanimously.

The Board reconvened into Open Session at 2:03 p.m.

## **VOTING ON ITEMS CONSIDERED OR DELIBERATED ON IN CLOSED SESSION IF VOTING IS APPROPRIATE**

### **MONITORING**

### **PETITION REQUESTING REINSTATEMENT TO FULL LICENSURE SUBMITTED BY WILLIAM R. STEBER**

**MOTION:** Ann Marie Starr moved, seconded by Arlie Albrecht, to grant the request by William R. Steber for reinstatement of full licensure. Motion carried unanimously.

## **DELIBERATION OF PROPOSED MONITORING THAT MAY BE SIGNED AFTER MAILING OF AGENDA**

None.

**REQUEST FOR SUPERVISOR APPROVAL**

None.

**REQUESTS FOR SUPERVISOR APPROVAL RECEIVED AFTER THE MAILING OF  
THE AGENDA**

None.

**DELIBERATION OF PROPOSED STIPULATIONS THAT MAY BE SIGNED AFTER  
MAILING OF AGENDA**

None.

**DELIBERATION OF ADMINISTRATIVE WARNINGS**

**CASE # 09 MFT 001**

**MOTION:** Bruce Kuehl moved, seconded by Ann Marie Starr, to accept the administrative warning in the matter of case number 09 MFT 001. Motion carried. Arlie Albrecht abstained.

**DELIBERATION OF ADMINISTRATIVE WARNINGS THAT MAY BE ISSUED  
AFTER MAILING OF AGENDA**

None.

**DELIBERATION OF PROPOSED FINAL DECISIONS AND ORDERS THAT MAY BE  
RECEIVED AFTER MAILING  
OF THE AGENDA**

None.

**DELIBERATION OF PETITIONS FOR REHEARINGS RECEIVED AFTER THE  
MAILING OF THE AGENDA**

None.

**DIVISION OF ENFORCEMENT – CASE STATUS**

None.

## **APPLICATION REVIEWS**

### **RECIPROCITY**

Leigha Weber---approved

### **File Review**

Debra Martinez ---education denied

Michaela Voeck---education denied

Stephani Nicholas--- supervisor denied

Sharon Koski---board accepts AAMFT membership for approval of education

Hee Sun Kwon---education denied

**MOTION:** Arlie Albrecht moved, seconded by Ann Marie Starr, to approve the applications approved, deny the applications denied, and to request further information on applications where needed. Motion carried unanimously.

## **DOE – SIGNATURE COLLECTION**

Completed.

## **OTHER SECTION BUSINESS**

The Section would like to compliment Aaron Knautz for his commendable work with processing licenses and applications for their profession

The Section received an email inquiry from an LMFT regarding her request for the Substance Abuse treatment specialty to appear on her MFT license. The Section directed the request to the Office of Professional Credentialing.

The Section requests to review the application forms in an upcoming meeting, specifically looking at the information required for supervisors. This will be taken up after the Goal Setting Committee is completed with their process so that any other requested changes can also be addressed at that time.

Jeff Scanlan informed the Section that Secretary Jackson has requested an outreach meeting with the Joint Board in the Milwaukee-area to be held early in the upcoming year.

## **ADJOURNMENT**

**MOTION:** Arlie Albrecht moved, seconded by Ann Marie Starr, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 2:13 p.m.